IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE K.M.JOSEPH

TUESDAY, THE 19TH JUNE 2007 / 29TH JYAISHTA 1929

WP(C).No. 18273 of 2007(A)

PETITIONER:

RAUF, AGED 9 YEARS,(MINOR)
REPRESENTED BY HIS MOTHER SAJITHA,
W/O C.P.HAMEED, AGED 35 YEARS,
FATHIMA NIVAS, POST MOODADI NORTH,
KOYILANDI, KOZHIKODE-673307.

BY ADV. SRI.VINOD SINGH CHERIYAN
SRI.R.SUDHISH

RESPONDENTS:
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1. STATE OF KERALA, REPRESENTED BY
SECRETARY, LOCAL SELF GOVERNMENT, SECRETARIAT,
THIRUVANANTHAPURAM.

2. MOODADY GRAMA PANCHAYATH,
REPRESENTED BY ITS SECRETARY,
MOODADY, KOYILANDI TALUK, KOZHIKODE.

BY Sr.GOVT. PLEADER SRI.K.J.MOHAMMED ANZAR
ADV.SRI.BABU JOSEPH KURUATHAZHA FOR R2

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 19/06/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1	**TRUE COPY OF THE ASSIGNMENT DEED NO.2433/2000 OF SRO , KOYILANDI**
EXT.P2	**TRUE COPY OF NOTICE DTD. 11/6/2007 ISSUED BY R2**
EXT.P3	**TRUE COPY OF THE OBJECTION DTD. 12-6-07 FILED BY TH E PETITIONER'S MOTHER BEFORE THE SECOND RESPONDENT.**

/True copy/

PA to Judge.

K.M.JOSEPH, J.

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WP.(C) No.18273 of 2007

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Dated this the 19th day of June, 2007

JUDGMENT

Petitioner challenges Ext.P2. Ext.P2 was issued by the Secretary dated 11.6.2007.

2. I heard learned counsel appearing on behalf of the second respondent also.

3. There can be no doubt that appeal lies from Ext.P2. In such circumstances I feel that the petitioner should be relegated to prefer appeal and to pursue the alternate remedy.

The writ petition is disposed of as follows:

If the petitioner prefers an appeal within the statutory period and prefers stay application, the appellate authority will consider the same after hearing the petitioner and take a decision in accordance with law. In the meantime in order to facilitate the petitioner to avail the alternate remedy, interim order passed by this court will continue for a period of one month from today.

sb. (K.M. JOSEPH, JUDGE)